

DNREC NEWS

The Delaware Department of Natural Resources and Environmental Control

Vol. 122

March 25, 2004



Ruth Ann Minner
Governor

John A. Hughes
Secretary

Inside

CALENDAR	2
TROUT STAMP	5
SCIENCE STUDENT	6
MOSQUITO SPRAYING	6
MOTIVA PENALTY	7
DOG LICENCES	7
FISHING GUIDE	9
COASTAL ZONE PERMIT HEARING	11
ST. JONES CLEANUP ..	11
PARK COTTAGES	12
UD STUDENT	13
YOUNG ENVIRONMENTALIST	14
REGULATORY UPDATE	15

Visit our Website:
www.dnrec.state.de.us

Newark Pediatrician Wins 25th Anniversary Delaware Duck Stamp Contest



Jason Gileckler

Bonni Field, a Newark pediatrician, won the 25th Delaware Duck Stamp Contest with a watercolor painting of American, or common, scoters.

Field's watercolor bested 21 entries from throughout the U.S. judged March 10 at the Delaware Agriculture Museum in Dover. The contest was the first of a special five-year series that pairs up one of the final five eligible waterfowl species with one of Delaware's historic or existing lighthouses. Next year's contest will feature the American merganser and the Fenwick Lighthouse.

The winning artwork, which will become the 2004 Delaware Duck Stamp, portrays a pair of scoters flying past the Cape Henlopen Lighthouse before it fell into the Atlantic Ocean in 1926.

continued on page 3

Calendar

For information or registration for park events, please contact individual park offices. A listing follows the calendar.

MARCH

25 - Murderkill Tributary Action Team meeting, 3-5 p.m., Killens Pond State Park Office, Felton. Contact Jennifer Campagnini, Watershed Assessment Section, (302) 739-4590.

25 - Public hearing on proposed amendments to black sea bass and summer flounder harvesting, 7:30 p.m., DNREC's auditorium, Richardson and Robbins Building, 89 Kings Highway, Dover. Call the Division of Fish and Wildlife, Fisheries Section, (302) 739-3441.

27 - Brandywine Creek State Park program, Bird Walk Series: Birding is for Everyone, 8 a.m.-10 p.m. at the Nature Center. This program is free with paid admission.

27 - Brandywine Creek State Park program, State Park Meadows: More than Just Mowing, 1-3 p.m. Cost is \$2 per person.

27 - Brandywine Creek State Park program, ABC's of Fishing, 1-3 p.m. This program is for anglers ages 12 and up. Fishing license is required for everyone over age 15. Licenses are available at the Nature Center. Fee is \$5 per angler.

27 - Delaware Ducks Unlimited program, Conservation, Public Safety and Education Day, 8 a.m., Owens Station, Greenwood. Tons of activities for youth ages 6-16. Pre-register by Feb. 15. This program is free and includes a one-year Greenwing membership, t-shirt and lunch. Contact Rick Berry, (302) 674-0444 or Tony Senn, (302) 422-5068.

28 - Brandywine Creek State Park program, Intro to Disc Golf, 3 p.m. Pre-registration required. Cost is \$1 per person.

28 - Brandywine Creek State Park program, Spring Hawk Watch Series, 11 a.m.-noon. Binoculars are available, but bring your own if you have them. Pre-registration suggested. Cost is \$2 per person.

30 - Public hearing on Aboveground Storage Tank Regulations, 6 p.m., in the DNREC office conference room, 391 Lukens Drive, New Castle, Del. Contact Jill Hall or Erich Schuller, New Castle office, (302) 739-4506.

30 - Game and Fish Advisory Council meeting, 7:30 p.m., DNREC's auditorium, Richardson and Robbins Building, 89 Kings Highway, Dover. Contact Greg Moore, (302) 739-5297.

APRIL

2 - Brandywine Creek State Park program, Owl Prowl, 6:30 p.m., cost is \$4 per person.

3,4 - Brandywine Creek State Park program, Buffalo Drum Workshop, 9 a.m.-5 p.m. Costs for the two-day workshop are \$175 for rattle only, \$225 for drum only or \$300 for both rattle and drum. Pre-registration with down payment required by March 12.

3 - Jakes Field Day, 9 a.m.-4 p.m., at the South Fork Preserve, 1023 Tomahawk Lane, Felton. For children and teenagers up to 17 years old. Lunch is provided. Pre-registration required by March 29.

3 - Household Hazardous Waste Collection Event, 8 a.m.-4 p.m., Pine Tree Corners Transfer Station, Townsend. For more information, call the Delaware Solid Waste Authority's Citizens' Response Line, 1-800-404-7080 or online, www.dswa.com/programs/programs_haz.htm.

- 4 - Brandywine Creek State Park program**, Spring Hawk Watch Series, 11 a.m.-noon, pre-registration suggested. Bring your binoculars or use the ones provided. Cost is \$2 per person.
- 4 - Brandywine Creek State Park program**, Advanced Disc Golf, 3 p.m., pre-registration required. Cost is \$1 per person.
- 6 - Public hearing on Speakman Company's Coastal Zone Act permit**, 6:30 p.m., at the DNREC office building, 391 Lukens Drive off Cherry Lane in New Castle. Contact Dennis Brown, Planning and Compliance Assistance, (302) 739-3091.
- 10 - Brandywine Creek State Park program**, Junior Naturalists Series: Owls, 6:30 p.m., for children ages 8-12 years old.
- 13, 27 - Environmental Appeals Board hearing on the Assawoman Canal dredging**, 9 a.m., DNREC's auditorium, Richardson and Robbins building, 89 Kings Highway, Dover. Contact Gail Donovan, (302) 739-6400.
- 14 - Appoquinimink Tributary Action Team meeting**, 7-9 p.m., St. Anne's Episcopal School, Middletown. Contact Cortney Worrall, 302-378-8395.
- 15,16 - Brandywine Creek State Park program**, Children's Programs: Rabbit Run, 9:30-10:15 a.m., pre-registration encouraged. Cost is \$5 per child.
- 16 - Brandywine Creek State Park program**, Owl Prowl, 7 p.m., cost is \$4 per person.
- 17 - Tree Planting, community reforestation projects in six different community open spaces**, (Southern New Castle County communities), three 9 a.m. morning plantings and three 1:30 p.m. afternoon plantings. Contact Tim Lucas or Dave Carter, Delaware Coastal Programs, DNREC, (302) 739-3451.
- 17 - Christina River Cleanup**, 8 a.m.-noon, contact Shirley Posey, cleanup coordinator, 302-328-9436 or by email at luckysap@aol.com
- 17 - Brandywine Creek State Park program**, Kite Day, 1 p.m., cost is \$2 per person.
- 17 - Brandywine Creek State Park program**, Nature Programs: Hoppin' and Jumpin', 9:30-10:15 a.m. For children ages 4-6 years old. Cost is \$5 per child.
- 17 - Sixth Annual Jakes Event**, 9 a.m.-4 p.m., at the Ommelanden Hunter Education Training Center, 1205 River Road., Route 9, between Old New Castle and Delaware City. For children and teenagers up to age 17. Lunch provided. Pre-registration required and must be received by April 12.
- 18 - Brandywine Creek State Park program**, Woodland Birds Family Programs, 8 a.m., binoculars provided to those that don't have them.
- 20 - Community Involvement Advisory Council**, 9:30-11:30 a.m., Division of Libraries, Dover. Contact Karen Garrison, (302) 739-4403.
- 20,22,27,29 - Delaware Urban Runoff Management Model computer training for consultants**, TBA, at Poly Tech. Contact Jeanne M. Feurer, (302) 739-4411.
- 20 - Brandywine Creek State Park program**, Hidden Pond Trail Staff Favorites: Hiking Series, 1 p.m., cost is \$2 per person.
- 20 - Public hearing on Sediment and Stormwater Regulations**, 6 p.m., DNREC's auditorium, Richardson and Robbins Building, 89 Kings Highway, Dover. Contact Frank Piorko, (302) 739-4411.
- 21 - Tidal Finfisheries Advisory Council meeting**, 7 p.m., DNREC's auditorium, Richardson and Robbins Building, 89 Kings Highway, Dover. Contact Roy Miller, Fisheries Section, (302) 739-3441.
- 23 - Ducks Unlimited program**, Waterfowl Conservation, 10 a.m., St. Jones Reserve, 818 Kitts

continued on page 4

Hummock Rd., Dover. Contact Tony Senn, Ducks Unlimited, (302) 422-5068.

24 - Brandywine Creek State Park program, Bird Walk Series, 8-10 a.m.

24 - Delaware Fishing Derby, 10 a.m.-2 p.m., at Brandywine Creek State Park. Pre-registration required. Contact the Park Nature Center.

24 - Earth Day Cleanup on the St. Jones River, 9 a.m.-2 p.m. Volunteers needed. Contact Carl Solberg, Kent County Parks Division, (302) 698-6451.

27 - Game and Fish Advisory Council meeting, 7:30 p.m., in DNREC's auditorium, Richardson and Robbins Building, 89 Kings Highway, Dover. Contact Greg Moore, Fish and Wildlife, (302) 739-5297.

Park Offices:

Brandywine Creek State Park, (302) 577-3534; Nature Center, (302) 655-5740

White Clay Creek State Park, (302) 368-6900; Nature Center, (302) 368-6560

Bellevue State Park, (302) 577-3390; Arts Center, (302) 577-6540

Trap Pond State Park, (302) 875-5153; Nature Center, (302) 875-5163

Lums Pond State Park, (302) 368-6989; Nature Center, (302) 836-1724

Fort Delaware State Park, (302) 834-7941

Killens Pond State Park, (302) 284-4526

Cape Henlopen State Park, (302) 645-8983; Nature Center, (302) 645-6852

Duck Stamp Winner continued from page 1

"The composition of the lighthouse and the birds intrigued me," Fields said. "I also did a lot of research at the library and on the Internet for accuracy, right down to feather counting."

She worked on the painting over a period of a couple of months, put it away for a month, made a few more changes, then sent it off, never expecting "the call."

"I'm still in shock but very happy," Fields said. "I wanted to portray the beauty of the lighthouse, the flying birds and the sky. I'm thankful that the judges appreciated my painting." This is her fourth entry in the annual contest, the first in 12 years.

Second place in this year's Delaware Duck Stamp Contest went to Robert Mitchell of Hornell, New York, for an acrylic rendition of a male and female scoter in flight. Third place went to Michael Braun of Collingswood, New Jersey, also for a pair of scoters in flight done in acrylics.

Judges were Douglas Gibson, wildlife artist and decoy carver; art dealer and duck stamp collector Brian Havertine; Terry Villanueva, manager of Bombay Hook National Wildlife Refuge; printer Larry Marvel; Herbert E. Von Goerres, Delaware River and Bay Lighthouse Foundation; Oscar Reed, wildlife biologist; and Charles Miller, biologist.

The state Division of Fish and Wildlife, in partnership with Ducks Unlimited, began the stamp and limited edition print program in 1980 to raise funds for waterfowl conservation, including acquiring and improving the wetland habitats that are vital for the survival of migratory waterfowl. To date, more than \$2 million has been raised.

Stamps bearing this year's winning design will go on sale July 1 at agents throughout the state. Collectors' stamps and prints can be reserved at the Division's Dover office, 89 Kings Highway, Dover or by calling 302-739-5841.

Georgetown Artist Wins Delaware Trout Stamp Contest



Georgetown wildlife artist George W. Bradford's acrylic rendition of a rainbow trout leaping for a lucky fisherman's wet fly was judged best out of 18 entries at the Division of Fish and Wildlife's annual Delaware Trout Stamp Contest held March 10 at the Delaware Agriculture Museum.

This was Bradford's twelfth entry into the contest and second win. In 2000, he won with a brown trout jumping out of the water after a May fly. Last year he came in second in the Delaware Duck Stamp Contest with a pair of greater scaups floating in a marsh.

Bradford's winning painting will be featured on the 2004-2005 Delaware trout stamp, which is required for all anglers 12 and older who fish for trout in the state's stocked waters: Tidbury Pond in Kent County, Gravel Hill Pond in Sussex County, and Christina Creek, White Clay Creek, Pike Creek, Mill Creek, Wilson Run and Beaver Run in New Castle County.

Trout stamp sales account for approximately \$25,000 annually to support the stocking program.

Judges were printer Larry Marvel; biologist Charles Miller; Rick Stephens, a Delaware Trout Unlimited board member; Noel Kurht, past president of the Delaware Trout Association; and wildlife artist and decoy carver Douglas Gibson.

For more information, contact contest coordinators Laura Rau or Carla Cassell-Carter, Division of Fish and Wildlife, (302) 739-5841.

Cape Henlopen 9th Grade Academy Student Wins DNREC Award for Best Environmental Exhibit at Sussex County Science Fair

Jennifer L. Betts, a student at Cape Henlopen 9th Grade Academy, won DNREC's Special Award for best Environmental Exhibit at the 12th Annual Sussex County Science Fair held March 8 at the Virdin Center.

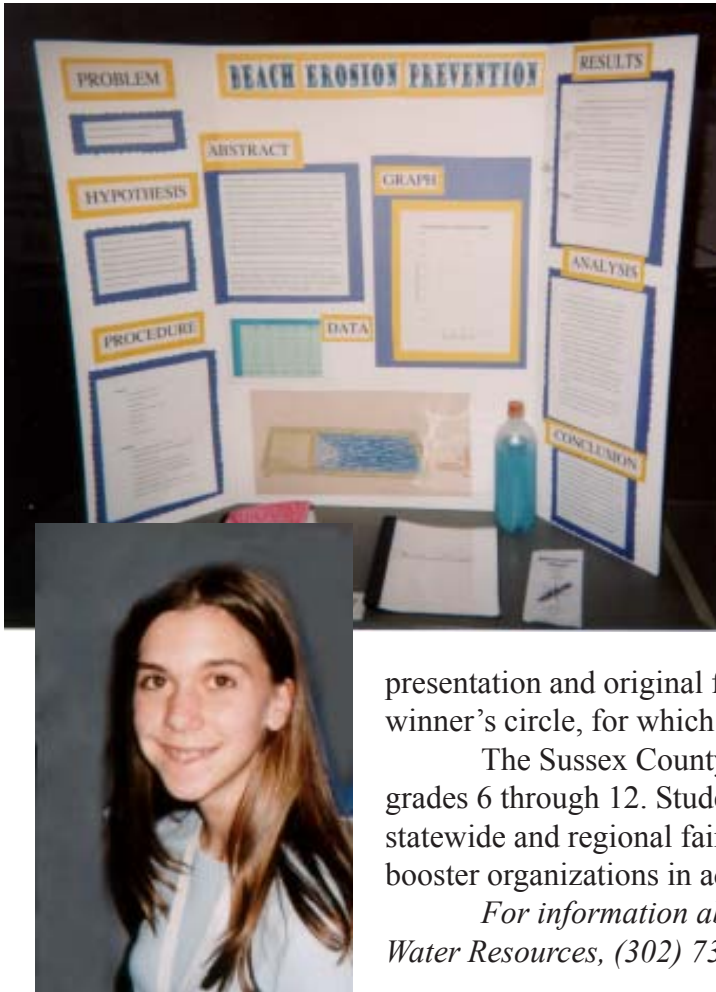
Jennifer's exhibit, "Beach Erosion Prevention," examined the effect of breakwaters in mitigating the erosional force of waves. Using a wave tank, hair dryer and special fluid for observing current patterns, she derived a formula that predicts how much sandy shore will be protected based on the size and placement of offshore breakwaters.

Jennifer's choice of subject, adherence to the scientific method, clear presentation and original formula placed her exhibit in DNREC's winner's circle, for which she was presented a \$200 Savings Bond.

The Sussex County Science Fair hosts exhibits from students in grades 6 through 12. Students with winning exhibits are eligible for statewide and regional fairs. Special Awards are presented by various booster organizations in addition to the official Science Fair awards.

For information about DNREC's award, contact Bill Brierly, Water Resources, (302) 739-4860.

William B. Brierly Jr.



DNREC to Begin Woodland-Pool Mosquito Spraying

Weather permitting this Friday (March 26), the Department of Natural Resources and Environmental Control's Mosquito Control Section will begin its annual spring woodland-pool spraying, treating many areas in New Castle, Kent and Sussex counties. Over the next few weeks, Mosquito Control staff will apply by helicopter a bacterially-produced insecticide, Bti, to control immature or larval stages of early-season mosquitoes that breed in shallow, short-lived woodland pools.

According to William Meredith, Mosquito Control Section administrator, the spraying will focus on wooded wetlands near cities, towns or large developments throughout the state, involving up to a total of several thousand acres of treatment. Aerial spraying of woodland pools must be completed before forest canopy leaf-out, which usually happens around mid-April, because leaves intercept aerial sprays before the insecticide can reach breeding pools on the forest floor.

continued on page 7

“This early spraying is necessary to control larval stages of the spring woodland mosquitoes,” said Meredith. “If they’re not successfully controlled, many adult mosquitoes could take wing by early to mid-May and remain through late June.” The adult mosquitoes can become particularly troublesome within 1-2 miles of their breeding origins, said Meredith, significantly affecting local quality-of-life for residents and visitors.

The amount of larval spraying will be determined by the extent of early spring wet woodlands, which in turn can vary from year-to-year based upon the past winter’s precipitation patterns. Recent rainfall can also affect the amount of spraying. In areas where early attempts to control larval mosquito production are not successful, or where spray treatments could not be applied, it might then become necessary in May and June to spray different types of insecticides to control intolerable numbers of on-wing adult woodland-pool mosquitoes.

Fortunately, while some species of spring woodland-pool mosquitoes have been found to carry West Nile virus, the mosquito species primarily responsible for transmitting this disease to humans or horses arise later in the year, and usually come from other types of breeding habitats.

The U.S. Environmental Protection Agency has determined that Bti, when used in accordance with all EPA-approved instructions, can be applied without posing unacceptable risk to human health, wildlife or the environment.

For more information, contact William Meredith, Division of Fish and Wildlife Mosquito Control Section, (302) 739-3493 or Melinda Carl, Public Affairs, (302) 739-4506.

Motiva Pays Stipulated \$200,000 Penalty Under Consent Order ***Leaking Bypass Valve Triggered Ongoing Pollution Releases***

In response to a demand letter from the Department of Natural Resources and Environmental Control, Motiva Enterprises LLC has paid a \$200,000 stipulated penalty for failing to maintain the fluid catalytic cracking unit bypass valve in a leak-free condition at its Delaware City refinery during the last quarter of 2003 and the first quarter of 2004. The fluid catalytic cracking unit is a unit operation that converts petroleum intermediates into refined products.

Motiva is required to maintain the bypass valve leak free under a Consent Decree filed in March 2001 in Delaware’s Chancery Court.

The stipulated penalty resulted from a demand letter issued by the Department Feb. 23, 2004 following observation of emissions from the bypass stack on Oct. 28, 2003. A stack test conducted Nov. 11, 2003 verified the valve was leaking. Subsequent stack tests on Nov. 17 and Dec. 19, 2003, and Jan. 14, Feb. 6 and Feb. 11, 2004 have confirmed that the bypass valve continues to leak.

Motiva has notified the Department that it is continuing efforts to correct the leaking valve and that the company is developing a plan to install a capture mechanism to mitigate the leak. The company will replace the defective valve with a positive sealing device during the 2004 fall turnaround of the fluid catalytic cracking unit.

For further information, contact Ravi Rangan, (302) 323-4542.

DNREC Grants Coastal Zone Act Permit to TA Instruments-Waters

Department of Natural Resources and Environmental Control Secretary John A. Hughes has granted TA Instruments-Waters LLC a Coastal Zone Act Permit to manufacture two new products at its facility at 109 Lukens Drive in New Castle.

continued on page 8

The company will manufacture a two-stage, vapor compression refrigeration cooler and rheological instruments. Both products are desk-top sized instruments used to test materials in a laboratory. Production levels set in the permit are 125 rheology units per year and 100 refrigeration coolers units per year.

A public hearing was held Feb. 11, 2004 on the company's permit application. According to the application, approximately 18 new employees will be needed for this new manufacturing project.

The proposed manufacturing expansion will produce few environmental impacts, all of which will be more than offset through recycling of all wastes and spent fluorescent light tubes.

A 14-day appeal period began with the March 14, 2004 publication date of the legal notice of this decision. Appeal forms may be acquired by contacting Dennis Brown, (302) 739-3091. The appeal application fee is \$100.

TA Instruments-Waters' application is available for public review at DNREC's offices at 715 Grantham Lane near New Castle and 89 Kings Highway in Dover as well as the public libraries at Hockessin and Delaware City.

For additional information, contact Dennis Brown, (302) 739-3091, or Melinda Carl, (302) 739-3456.

Is Your Dog Licensed? Don't Risk Incurring a Fine

The Department of Natural Resources and Environmental Control Division of Fish and Wildlife and the Delaware and Kent County SPCAs urge all dog owners to make sure their dogs are licensed.

Dog owners are obligated to license their dogs on a yearly basis. All dog owners in Delaware, except for those residing within Wilmington, which issues its own licenses, must have their dogs licensed by March 1 of each year. The fine for an unlicensed dog ranges from \$50 to \$100 for a first offense.

"The owner of any dog, six months of age or older must purchase a Delaware dog license" said Chief Graybeal, Fish and Wildlife Enforcement. "To purchase a license, the owner must show proof of a valid rabies vaccination."

To encourage spaying and neutering, licenses for sterilized dogs cost \$3 per year and unsterilized dogs are \$6. Two-year and three-year licenses are available if a rabies certificate is valid for the period. Dog licenses are not required for Seeing Eye, lead or guide dogs.

"In 2003, there were 19,047 licensed and approximately 50,000 unlicensed dogs in Delaware. The majority of Delaware residents are unaware that even a house dog needs to be licensed," said Chief Graybeal. "We are trying to correct this problem by providing educational literature for the public and increasing enforcement of dog license compliance." Dog licensing information is available at all dog licensing agents and the Delaware and Kent County SPCA offices. Literature is also available on the Division of Fish and Wildlife's web page, www.dnrec.state.de.us/fw.

Funds generated by the license sales subsidize the Delaware Dog Control Program of the Delaware and Kent County SPCAs which are under contract to enforce the laws, respond to problems such as dogs at large and investigate dog bites.

"Licensing benefits dogs, dog owners and the community by preventing the spread of rabies and reuniting lost dogs with their owners," said Chief Graybeal. "It also provides owner tracking for the SPCA to resolve dog related problems in communities."

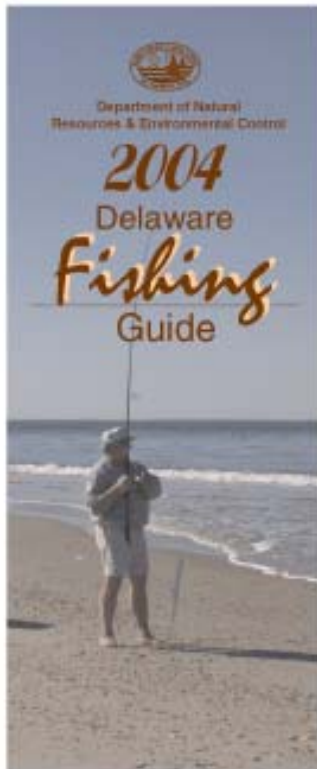
continued on page 9

Wilmington residents can call the City of Wilmington's Constituents Services Office, (302) 576-2489 for dog licensing information.

For more information, contact James H. Graybeal, Fish and Wildlife Enforcement, (302) 739-3440, or Jason Gleockler, Public Affairs, (302) 739-4506.

2004 Fishing Guide Available

The Division of Fish and Wildlife's 2004 Fishing Guide is now available to anglers, clammers, crabbers, and recreational boaters throughout Delaware.



The 2004 Guide contains maps and information on freshwater fishing, salt water fishing, clamming, trout fishing, and artificial reefs. The latest seasons, size and creel limits for tidal and non-tidal fish are provided. One section deals with crabbing and provides pictures to help identify male and female crabs; another discusses the best methods for handling and releasing fish. The brochure has a guide to the common sharks in the Delaware Bay and their management is also discussed. The complete list of fish consumption advisories and how to reduce health risk is also included.

The colorful guide contains pictures of Delaware's most common fresh and saltwater fish and a listing of their minimum qualifying weights for the Delaware Sport Fishing Tournament. Water access areas and Parks and Recreation launch areas are listed and mapped; boating laws and safety information are provided.

The 2004 Fishing Guide is available free at sporting good stores, fishing license agents, bait and tackle shops, and state parks. Individuals may also pick one up at the front desk of the Department of Natural Resources and Environmental Control Offices located at 89 Kings Highway in Dover or view it online at www.dnrec.state.de.us/fw.

For more information on the nearest license agent, call (302) 739-4431 or view the complete list online at www.dnrec.state.de.us/fw/licagt.htm.

For additional information, contact Craig Shirey, (302) 739-3441, Division of Fish and Wildlife, Fisheries Section, (302) 739-3441 or Jason Gleockler, Public Affairs, (302) 739-4506.

Jr. Duck Stamp Judging to be Held March 27 at DU Greenwings Event

The popular Delaware Junior Duck Stamp competition, tailored after the prestigious state duck stamp contest, will be judged at 9:30 a.m. on Saturday, March 27 as part of a Ducks Unlimited Greenwing event at Owens Station in Greenwood. The public is invited to watch.

Students from across the state have submitted more than 300 entries. Awards will be given in four class groups - K-3, 4-6, 7-9, 10-12, including one overall "best of show" and 64 honorable mention ribbons. The "State Best of Show" design is selected from among the 12 first-place winners representing all four groups and goes on to represent Delaware in the national competition.

Judging the ninth annual conservation art competition will be Governor Ruth Ann Minner, Lt. Governor John Carney, Agriculture Secretary Michael Scuse, Donald Young of Memphis, Tenn., executive vice president of Ducks Unlimited Inc., and Douglas Gibson, Delaware wildlife artist and decoy carver.

The Division of Fish and Wildlife sponsors the Delaware Junior Duck Stamp Program. "Illustrating a junior duck stamp requires research about waterfowl, their life histories and habitat," according to contest coordinator Trina Cale-Rosario. "In addition, the Delaware contest strives to instill in youth an appreciation for wetland conservation."

A Junior Duck Stamp conservation day workshop/awards ceremony is being planned for sometime in June.

For more information, contact Trina Cales-Rosario, contest coordinator, at (302) 653-2882 ext. 104.

Friends of White Clay Creek State Park Seek Volunteers to Plant Trees March 27

The Friends of White Clay Creek State Park are seeking volunteers to plant trees along the bank of White Clay Creek bank on Saturday, March 27. This planting continues efforts by the Friends and members of the community to extend the forest buffer at key locations along the creek. Volunteers will plant trees along the border of a field on the east side of the creek opposite the Nature Center.

Individuals or groups interested in participating should contact Christa Stefanisko at (302) 369-1933.

Key goals of the reforestation project are to increase the riparian buffer zone along the creek and to improve wildlife habitat and forest quality. Reforesting close to the creek buffers the creek against runoff and erosion by extending and protecting existing vegetation along its banks. Another virtue of streamside plantings is to shade the creek to control its temperature and otherwise promote its good health. The area to be reforested stands between the creek and a field. The extended buffer will provide a transition zone for wildlife from the field to the creek and to adjacent mature forest. The reforestation project will also help preserve Delaware's natural forests by ensuring that open land is planted with native species.

The reforestation project is a cooperative effort between the Friends of White Clay Creek State Park and the Delaware Division of Parks and Recreation. More information on the project and on the Friends organization and activities is available on their web site at www.whiteclayfriends.org. Funding for the purchase of trees, fertilizer and tree wraps was provided by grants from the Longwood Foundation and the Welfare Foundation as well as contributions from the Friends. In-kind services are being provided by Conectiv Power Delivery, the Division of Parks and Recreation and Turf Pro.

Volunteers can park at the Nature Center parking lot. The field is often muddy, so old shoes or boots are recommended. Volunteers should bring a shovel or rake to move dirt into the holes. The Friends and volunteers will plant relatively large trees (approximately 10 to 12 feet tall) widely spaced (~40 ft) in the field. These new trees plus trees in adjacent woods will be seed sources for natural reseeding of the field in the future. The Friends selected this method of planting, instead of planting a large number of smaller trees as in a previous project, to develop information about

alternative reforestation techniques in a cooperative effort with the Division of Parks and Recreation. Because the trees are large, the digging of holes and placement of the trees in preparation for planting will take place prior to the arrival of the volunteers.

For more information, contact Christa Stefanisko at 302-369-1933.

Public Hearing on Speakman Company Coastal Zone Permit Application Set for April 6 in New Castle

The Department of Natural Resources and Environmental Control will hold a public hearing on Speakman Company's Coastal Zone Act Permit application at 6:30 p.m. Tuesday, April 6 at DNREC's office building, 391 Lukens Drive off Cherry Lane in New Castle.

Speakman Company filed an application to manufacture plumbing fittings, showerheads, safety eyewashes and showers in November 2003. The parts are trucked to the company's site at 400 Anchor Mill Road in the Twin Spans Business Park in New Castle where the products are assembled, packaged and shipped to customers.

Environmental impacts from the operation will be minimal with an expected generation of 30 cubic yards per week of solid waste consisting mainly of office waste and packaging material. The operation will generate no hazardous waste, process wastewater discharge or boiler emissions. The solid waste impact will be more than offset by the company's recycling of the 30 cubic yards of solid waste that previously went to the local landfill; shipping of all spent tube light bulbs to a recycling site in Pennsylvania; and Speakman's request that truck drivers turn their engines off while loading or unloading at the company's building.

The application and the Environmental Assessment Report for this project are available for public review at DNREC's offices at 715 Grantham Lane near New Castle and 89 Kings Highway in Dover and at the Hockessin and Delaware City public libraries.

For further information, contact Dennis Brown, Planning and Compliance Assistance, (302) 739-3091.

Earth Day Cleanup on the St. Jones River April 24

Volunteers are needed for the St. Jones Greenway Commission's ninth annual Kent County Earth Day program. This year's Earth Day event will be from 9 a.m. to 2 p.m., Saturday, April 24 and will target the removal of trash and debris from upland forest sites along the St. Jones River and Greenway. Families and individuals ages eight to adult are encouraged to participate in this event.

This program is sponsored by the Kent County Levy Court Parks Division in partnership with the Delaware Department of Natural Resources and Environmental Control and the Delaware National Estuarine Research Reserve.

The Delaware National Estuarine Research Reserve is providing T-shirts to registered, participating volunteers and cost-sharing the tipping fees.

Previous Kent County Earth Day events focused on planting tree seedlings and environmental education events at Brecknock Park. This is the first St. Jones River cleanup since 1994 when over 500 volunteers participated.

More than 200 volunteers are expected for this river cleanup. Adult volunteers will be pro-

continued on page 12

vided supervision, trash bags, beverages and special give-aways. Volunteers will need to dress for outdoor work. Gloves and hard-soled boots are required. No sneakers please. Children under 14 must be accompanied by an adult.

For more information and to register call Glenn "Wayne" McCarty, Kent County Parks Division, 302-698-6452 or email wayne.mccarty@co.kent.de.us.

For more information, contact Carl Solberg, Kent County Parks Division, 302-698-6451, or Jason Gleockler, DNREC Public Affairs, 302-739-4506, or Mark Del Vecchio, Manager of the St. Jones Reserve, 302-739-3436.

Celebrate National Trails Day June 5 at Wilmington's South Park Drive

Trails Day will be celebrated at South Park Drive in Wilmington State Parks from 10 a.m. to 2 p.m. on June 5 with an old-fashioned street fair. Food, games, storytelling, clowns, music, art, nature walks, traveling zoo animals and more will entertain, educate and delight the whole family. The South Park Drive Street Fair and National Trails Day Celebration is being brought to you by the City of Wilmington, the Delaware Division of Parks and Recreation, Delaware Greenways, and the Delaware Center for Horticulture.

Walk to the park or get a ride from one of several bus stops around the city and enjoy a healthy, nature-filled day of fun.

Wilmington State Parks is a cluster of four urban parks along the Brandywine in downtown Wilmington. They offer a wide range of outdoor recreation opportunities, from a quiet stroll and wildlife watching to more active pursuits on game courts, ball fields, playgrounds and trails. Wilmington State Parks includes Rockford Park, Brandywine Park, Baynard Stadium, the Brandywine Zoo and H. Fletcher Brown Park. All are located along the Brandywine Creek in downtown Wilmington, just off I-95. Park hours of operation are 8 a.m. until sunset, year-round. For more information, contact Wilmington State Parks, (302) 577-7020.

Delaware Seashore State Park Ready to Take Reservations for New Cottages

Just in time for the July 4th holiday, Delaware Seashore State Park's 12 year-round cottages at the Indian River Inlet will be ready for their first visitors and the phone lines are now open to accept reservations.

Each duplex sleeps six in two bedrooms and a loft. Along with living and dining areas and a fully-equipped kitchen, there is a gas fireplace, satellite TV, heating and air-conditioning. All guests need to provide are linens, towels, telephones, swim suits and sunscreen.

The cottages also come with spectacular views and close proximity to six miles of ocean and bay shoreline for swimming, surfing, surf fishing, deep-sea fishing out of the adjacent Indian River Marina, beachcombing and bird-watching. Nearby resorts provide a variety of entertainments.

In-season rentals (mid-June through the end of August) are \$1,500 a week. Shoulder-season rates are \$1,200 a week. The off-season rate for the year-round cottages is \$800 a week, \$420 for a three-day holiday weekend or \$280 for a two-day stay.

For the convenience of renters, six cottages are Saturday to Saturday rentals and six are

continued on page 13

Sunday to Sunday rentals.

Reservations can be made up to seven months in advance with a 50 percent deposit. The on-line reservation system (credit card only) is on the Delaware State Parks website. Go to www.destateparks.com and look for the link on the left.

Reservations may also be placed by calling the central reservation system toll-free at 877-98-PARKS and following the prompts to reach a customer service representative.

For more information, contact Andy Meanor or Mary Voshell, Division of Parks and Recreation, 302-739-4702.

University of Delaware Student Wins National Mosquito Control Award

Gregory M. Williams, a University of Delaware Ph.D.-level graduate student, has won the American Mosquito Control Association's (AMCA) annual national competition for "Best Student Paper" for his research and presentation, entitled "Prevalence of West Nile virus in crow-roosting versus non-crow roosting areas." The award, which is highly sought after and competed for by national and international students, came with a \$1,000 prize.

Williams' principal academic advisor is Dr. Jack Gingrich of the University's Department of Entomology and Wildlife Ecology, who has been mentoring Greg for this research now three years in the making.

"Over the past three years the Department of Natural Resources and Environmental Control's Mosquito Control Section has worked closely with Jack and Greg, helping with the design and focus of Greg's graduate research and related studies," said Dr. William Meredith, Mosquito Control Section administrator and a member of Greg's graduate student committee. "Greg's award is very nice recognition for the University, DNREC and the State of Delaware."

The research, while preliminary, is helping DNREC by providing valuable clues on ways the West Nile virus might spread from highly concentrated areas in the spring and early summer to widespread habitats in the late summer. The presentation received many favorable comments from internationally recognized scientists, notably leading researchers from the Centers for Disease Control and Prevention, the Walter Reed Army Institute of Research, and the British Museum.

The AMCA's annual national conference is the world's foremost annual gathering of mosquito control experts. There were about 900 registrants at the conference held at Savannah, Ga. in February. The association has approximately 1,500 professional members from all 50 states and almost 100 foreign countries.

The Mosquito Control Section has previously partnered with Dr. Gingrich and his team to find which mosquito species might be the primary culprits for transmitting West Nile virus. DNREC and Dr. Gingrich's team are currently working on a statewide survey of mosquito production in stormwater management basins and constructed wetlands to try to better determine if or how much these man-made features might contribute to West Nile's presence in Delaware. Both these studies have been made possible by West Nile virus grants from DNREC and funded by the CDC.

For more information, call Bill Meredith, (302) 739-3493 or Jason Gleockler, Public Affairs, (302) 739-4506.

continued on page 14

DNREC Searching for Students Who Make a Difference

DNREC Announces 11th Annual Young Environmentalist Award Program

The Department of Natural Resources and Environmental Control is now accepting nominations for the 2004 Young Environmentalist of the Year award program. Awards will be given to students deserving recognition for their efforts in protecting the environment. Nomination must be based on actions or projects which have taken place between July 1, 2003 and June 30, 2004. Entries must be received by June 30, 2004.

Information and the nomination form are available through the "Hot Topics" link or the "General Information and Education" link on the DNREC homepage www.dnrec.state.de.us. This year nominations are being accepted in each of three age categories - elementary, middle school and high school. A winner will be chosen from each category where award-quality projects are submitted. The elementary category is for students in grades (1-4); the middle school category is for students in grades (5-8); the high school category is for students in grades (9-12).

Teachers, classmates, parents, club or group leaders and others are encouraged to alert DNREC of the efforts of Delaware students who have shown concern for Delaware and the planet through their environmental projects by nominating them for the Young Environmentalist of the Year Award.

A \$150 check and a Delaware State Park pass will be awarded to each category winner in recognition of his or her contribution to the community. Winners will be honored in a special ceremony at Governor's Day at the Delaware State Fair July 29, 2004.

The Young Environmentalist program honors Delaware students whose actions have resulted in the protection, restoration or enhancement of Delaware's natural resources through one or more of the following means: Innovations; Public Awareness; Environmental Stewardship; Environmental Ethics.

This is the eleventh anniversary of the award in honor of Dr. Edwin H. Clark II, who served as Secretary of DNREC from 1989 until 1993.

This is the first year that all grade levels will have an opportunity to enter. Previously only one grade level was honored each year. A nomination application can be printed from the website: <http://www.dnrec.state.de.us/DNREC2000/admin/education/youngenvironmentalist.htm> Applications may also be requested by contacting Jason Gleockler, DNREC Public Affairs, (302) 739-4506 or by e-mail to jason.gleockler@state.de.us.

For more information, contact Maria Taylor, Public Affairs, 302-739-4506.

continued on page 15

Regulatory Update

Recently Adopted Regulations and Regulations Under Appeal

2001-22: **New regulation defining chronic violator, the process for determining when a facility or regulated party is declared a chronic violator and the terms and conditions for lifting the designation.** Development and implementation of this regulation was mandated by Senate Substitute No. 1 for Senate Bill 33, An Act to Amend Title 7 and Title 29 of Delaware Code with respect to notification of environmental releases, facility performance, and establishment of the Community Involvement Advisory Council. Contact Marjorie Crofts, 739-4764. **Effective date – March 11, 2004**

2003-14: **Amendments to Delaware Regulations Governing Hazardous Waste.** This action adopts amendments previously promulgated by EPA to maintain authorization for administering Delaware's own hazardous waste management program. This action also adopts miscellaneous changes to correct existing errors in the hazardous waste regulations and clarifications. Contact Karen J'Anthony or Donald Short, 739-3689. **Effective date – March 21, 2004**

2003-23: **Amend Tidal Finfish Regulations, Striped Bass Possession Size Limit; Exceptions.** This action changes the recreational daily size and creel limits and seasons for striped bass; and changes the minimum commercial size limit for striped bass taken from all tidal waters of the state other than the Delaware River and Bay and its tributaries to 28 inches total length. During the commercial season of March 1-April 30, the minimum commercial size limit remains at 20 inches for the waters of Delaware River, Delaware Bay and their tributaries, but reverts to 28 inches total length minimum for the remainder of the year. Contact Roy Miller 739-3441. **Effective date – March 10, 2004**

2003-13: **New regulation to establish date for the first and subsequent lotteries for available commercial gill net permits and authorization for commercial hook and line permits, and commercial crab dredge, conch pot and conch dredge licenses.** The date for the first lottery is Jan. 2, 2004 with subsequent lotteries held the first working day in January. Participants include those in the apprentice program who have completed the required and properly documented 150 days of commercial fishing activities over no less than a 2-year period from the apprentice sign-up date. Contact Roy Miller, 739-3441. **Effective date - Jan. 2, 2004.**

98-08: **Establish a Total Maximum Daily Load (TMDL) for the Inland Bays Sub-basin** — This TMDL includes the tidal portions of Indian River, Indian River Bay and Rehoboth Bay. The TMDL process determines the pollutants causing water quality impairments, identifies maximum permissible loading capacities for the waterbody in question, and, for each relevant pollutant, assigns load allocations from point and non-point sources to each of different sources in the Sub-basin. These limits are designed to achieve water quality criteria and promote healthy populations of fish and other aquatic life. Contact: John Schneider – 739-4590. **Effective date – Dec. 1, 1998**

Environmental Appeals Board voted to stay appeals of Town of Rehoboth and Town of Georgetown on April 27, 1999 pending a decision by Superior Court.

97-11: Implementation of September 27, 1994 MOU among Ozone Transport Commission states on development of a regional strategy for control of stationary source Nitrogen Oxide (NOx) emissions. This regulation reduces NOx emissions from fossil fuel fired boilers or indirect heat exchangers with a maximum rated heat input capacity of 250 MMBTU/hr, or more; and all electric generating facilities with a rated output of 15 MW, or more. Contact: Ron Amirikan – 323-4552. **Effective date - April 1, 1999.**

April 16, 1999 - Appealed to Environmental Appeals Board by Motiva Enterprises and Delmarva Power and Light Company; **April 20, 1999 -** Motiva and Delmarva Power filed a civil action for a review of the Order in Superior Court for New Castle County.

Regulatory Actions Underway:

2004-02: Amendments to Shellfish Regulations pertaining to oysters. this action will establish the oyster harvest quota and address seasonal harvesting dates. Contact Richard Cole, 739-3441

2004-01: Amendments to Tidal Finfish Regulations, summer flounder and recreational black sea bass. Summer flounder: Delaware is able to maintain the same management measures for summer flounder used in 2003 for the 2004 fishery since the harvest cap was not exceeded. The nine management options presented for public review in 2003 will again be presented as approved methods for 2004. A new option may be presented that will include a 17.5 inch minimum size limit, six fish bag limit and no closed season for 2004. Recreational black sea bass: The coastwide requirements are a 12-inch minimum size length with a 25 fish creel limit and a closed season from Sept. 8, 2004 through Sept. 21, 2004 and Dec. 1, 2004 through Dec. 31, 2004. The Division of Fish and Wildlife proposes to impose a closed season for the same dates as the coastwide requirements. Contact Richard Cole, 739-4782

Public hearing – March 25, 2004, 7:30 p.m., DNREC auditorium, 89 Kings Highway, Dover.

2003-24: Development of a new regulation to be added to the Regulations Governing Solid Waste. This action would institute a ban on the disposal of yard waste in Delaware landfills, and is a critical part of a larger waste management strategy directed toward environmentally and economically efficient waste management. The waste ban is designed to: conserve capacity at existing landfills; minimize the need to construct new or expand existing landfills; signal the composting and mulching industry that these materials are available for processing and marketing; return this valuable material to the market place as opposed to landfilling it; and reduce the emission of greenhouse gases. Contact Rick Perkins, 739-3689

2003-22: Amendment to Delaware's Phase II Attainment Demonstration State Implementation Plan (SIP) for attaining the 1-hour National Ambient Air Quality Standard for ground-level ozone in Kent and New Castle counties in 2005. This action would change the mid-course review due date to Dec. 31, 2004 and will allow inclusion of the NOx Transport SIP Call implementation (a

significant part of the overall attainment strategy) in the analysis and put Delaware on the same timeline with other states in the region to enable Delaware to work cooperatively and conduct the mid-course review as a regional effort. Contact Frank Gao, 323-4542

2003-21: Amendment to the Total Maximum Daily Loads (TMDLs) for nutrients and oxygen demanding materials for the Murderkill River Watershed. This action would revise the cap and is necessary in light of recently collected data. It would amend the original regulation adopted in December 2001 and would apply to the entire watershed including Browns Branch, Double Run, tidal and freshwater portions of the Murderkill River and several ponds and lakes. Contact John Schneider, 739-4590

2003-20: Adoption of Total Maximum Daily Loads (TMDLs) for nutrients and oxygen demanding materials for Little Assawoman Bay, Buntings Branch and the tributaries and ponds of the Indian River, Indian River Bay and Rehoboth Bay. This regulation would establish a cap for the amount of nutrients and oxygen demanding materials that can enter these waters and is necessary to improve water quality and help maintain fishable waterways for Delaware citizens and visitors. The projected date for adoption is May 2004, five months past the deadline in the consent decree, due to unforeseen circumstances and technical issues regarding development of a new state-of-the-art water quality modeling system for the entire Inland Bays watershed. Contact John Schneider, 739-4590

2003-19: Adoption of a Delaware Coastal Management Program Comprehensive Update and Routine Program Implementation. This action would update all coastal management program policies to incorporate changes in state statutes, department regulations and executive orders since the last program's September 1998 update. Contact Sarah Cooksey or Bonnie Willis, 739-3451

2003-18: Adoption of a new "Regulation, 45, Anti-Idling Regulation" of the state's Regulations Governing the Control of Air Pollution. This action would regulate the idling time for operation of heavy-duty vehicles in Delaware having a gross vehicle weight rating of over 8,500 pounds. The regulation will continue state efforts to reduce emissions of NOx (nitrogen oxides), particulates and other tailpipe pollutants from vehicles operating in the state. Contact Philip Wheeler, 739-4791

2003-17: Amendments to the Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal (Septic) Systems. This action would update the regulations to include statutory changes that authorize DNREC to establish a license for persons who inspect septic systems and other on-site wastewater treatment systems. It also sets an annual license fee for septic system designers, installers, site evaluators, liquid waste haulers, inspectors and percolation tests, similar to other license fees charged by DNREC. Contact John Hayes, 739-4761

2003-16: Development of a State Implementation Plan (SIP) revision to include a case-by-case alternate volatile organic compound reasonably available control technology determination. This action would address the FP International, Newark, Del. facility's expandable polystyrene packing material manufacturing process. Contact Frank Gao, 323-4542

2003-15: **Amendments to Delaware Regulations Governing Solid Waste.** These proposed amendments pertain to sanitary landfill daily cover performance standards; prohibition of certain wastes in industrial landfills; prohibition of non-permitted sub-contractors by permitted solid waste transporters; correct a reference in the requirements for resource recovery facilities; amend the definition of infectious waste generator; and clarify who is required to obtain an infectious waste generator number. Contact Karen J'Anthony or Donald Short, 739-3689

2003-12: **Modification of existing regulations for the Green Energy Fund (formerly the Environmental Incentive Fund).** Senate Bill 93 moved the State Energy Office to DNREC and stated that the office would establish standards, procedures and regulations governing administration of the Green Energy Fund, formerly administered by the Delaware Economic Development Office. This action would modify DEDO's existing regulations to reflect movement of the Energy Office and the program, and amend the regulations for consistency with provisions in Senate Bill 93 and amendments in Senate Bill 145. Contact Charlie Smisson Jr., 739-5644

Public hearing – April 27, 2004

2003-11: **Amendment to Regulation No. 30 (Title V State Operating Permit Program) of the Regulations Governing the Control of Air Pollution.** This action would change the definition of "Major Source" by removing the phrase, "but only with respect to those air pollutants that have been regulated for that category." This will require all fugitive emissions to be included in major source determinations for sources subject to federal New Source Performance Standards or the National Emissions Standards for Hazardous Air Pollutants. Contact Deanna Morozowich, 739-4791

2003-10: **Development of a new Distributed Generation Regulation covering on-site electric generators of small to medium capacity.** In general, emissions from small and medium size on-site electric generators are currently uncontrolled in Delaware. Most of these units run on fossil fuels such as diesel and contribute to the secondary formation of ground-level ozone and fine particulate matter. Some are used to help utilities meet peak demand periods that frequently correspond with summer ozone action health alert days. This means that emissions from these units are frequently at their highest when the health threat from ozone is at its worst. Use of these units is growing and the Department is initiating this action to specifically control this category of emitters. Contact Al Deramo, 739-4791

2003-09: **Amendment to Regulations Governing the Control of Air Pollution: new section – Requirements for Minor Source Pre-Construction Review (Minor NSR).** This action would ensure that best available emission controls are installed at the time that smaller, but very significant, sources are constructed and modified to help manage Delaware's air resources. Contact Gene Pettingill, 323-4542

2003-07: **Amendments to the Regulations Governing Beach Protection and the Use of Beaches adopted in 1983.** This action would increase the effectiveness of the Coastal Construction Program and improve its protection of the beach and dune system. The amendments would reduce ambiguity, close possible loopholes and limit the amount and type of construction permitted seaward of the Building Line. Redrawing the building Line, incorporating changes to the Beach Preservation Act

and adding new construction standards for waterfront buildings will result in less damage to structures and improvements to the natural dune and beach resource. Contact Maria Sadler, 739-4111

2003-05: Amendments to Shellfish Regulations S-51 and S-55 and enactment of new shellfish regulations. This action would require the use of bait saving devices in conch pots using horseshoe crab as bait; prohibit the harvest or landing of horseshoe crabs in Delaware between May 1 and June 7 of any year and cap the annual harvest and/or landings of horseshoe crabs in Delaware to 150,000. Contact Roy Miller, 739-3441

2003-03: Re-issuance of Regulations Governing Storm Water Discharges Associated with Industrial Activities. These regulations are required by law to be reissued once every five years. The current regulations expire Sept. 15, 2003. The reissued regulations will expand the existing regulations to include additional requirements for discharges of storm water associated with industrial activities. Contact Amber Moore, 739-5731

2003-02: Amendment to Subpart A, Regulation 38, Emission Standards for Hazardous Air Pollutants for Source Categories. These general provisions establish applicability, definitions, compliance, notification, performance testing, monitoring, record keeping and reporting requirements common to the emission standards for hazardous air pollutants promulgated under Regulation 38. This action affects any owner or operator of a stationary source that is or will be subject to any standard, limitation or prohibition established by Regulation 38 and ensures consistency of Subpart A with federal changes expected in April 2003. Contact James Snead, 323-4542

2002-26: Amendment to Regulations Governing the Control of Air Pollution, Regulation 2038, Reporting of a Discharge of a Pollutant or Air Contaminant. This amendment would change the reportable quantity for the flammable substance hydrogen, clarify flammable reportable quantities and correct several technical mistakes in the list of substances. Contact Jay Brabson, 323-4542

2002-25: Amendment to tidal finfish regulations regarding weakfish size and possession limits. The approved plan adopted by the Atlantic States Marine Fisheries Commission includes 7 weakfish per day at 12 inches minimum, 8 at 13 inches, 9 at 14 inches or 10 fish at any size equal to or greater than 15 inches. The amendment would also adjust the beginning and ending dates to adjust the days for the new calendar year. Contact Roy Miller, 739-3441

2002-21: Amendment to the Delaware State Parks rules and regulations needed to reflect changes in park resources and changes from the Delaware Code, including the Wilmington State Parks, Holts Landing Fishing Pier, protection of exhibits, established bicycle trails and facility rentals/special events. Contact Wayne Kline, 739-4405

Public hearing – April 28, 2004

2002-16: Development of new regulations for aboveground storage tanks, including requirements for leak detection, spill containment, construction, dismantling, operation, maintenance and cleanup of any leaks pursuant to the Jeffery Davis Aboveground Storage Tank Act signed into law by Governor Minner July 8, 2002. Contact Kathleen Stiller Banning, 395-2522

2002-13: **Amendment to Tidal Finfish Regulations.** This action pertains to recreational and commercial creel limits and season for tautog. The Atlantic States Marine Fisheries Commission's amendment of the Fishery Management Plan for tautog requires all east coast states to reduce fishing mortality by 48 percent by changing creel limits or imposing seasonal closures or a combination of both by April 1, 2003. Contact Jeff Tinsman, 739-4782

2002-08: **Pollution Control Strategy (PCS) for implementing nutrient load reductions set by the TMDL for the Murderkill River and its tributaries.** The PCS will cover activities in the entire watershed, including land areas draining into Browns Branch, Double Run, tidal and freshwater portions of the Murderkill River and several ponds and lakes. This regulation will establish actions to achieve the maximum nutrient loading and is necessary to improve water quality and attain the fishable and swimmable goals of the federal Clean Water Act. Contact John Schneider, 739-4590

2002-07: **Pollution Control Strategy (PCS) for implementing nutrient load reductions set by the TMDL for the Nanticoke River, Broad Creek and their tributaries.** The PCS will cover activities in the entire watershed. This regulation will establish actions to achieve the maximum nutrient loading and is necessary to improve water quality and attain the fishable and swimmable goals of the federal Clean Water Act. Contact John Schneider, 739-4590

2002-06: **Pollution Control Strategy (PCS) for implementing nutrient load reductions set by the TMDL for Indian River, Indian River Bay, Rehoboth Bay and their tributaries.** This regulation will establish actions to achieve the maximum nutrient loading and is necessary to improve water quality and attain the fishable and swimmable goals of the federal Clean Water Act. Contact John Schneider, 739-4590

2001-21: **Amendments to Sediment and Stormwater Regulations.** This action would allow a greater degree of flexibility for types of practices that could be considered for approval and would result in more low-impact stormwater practices such as bio-retention, bio-swales and buffers being used to meet water quality requirements. Contact Frank Piorko – 739-6724

2001-14: **Amendment to Regulation 24, Control of Volatile Organic Compounds, Section 26 (Stage I Vapor Recovery) and Section 36 (Stage II Vapor Recovery) of the Delaware's Regulations Governing the Control of Air Pollution.** This action is proposed to ensure that the Vapor Recovery Systems currently installed within the state maintain the required 95 percent control efficiency. Contact Deanna L. Morozowich, 739-4791

2001-04: **Amendments to Regulations Governing the Use of Subaqueous Lands.** This amendment updates the regulations to include the statutory changes made by the 140th General Assembly. The amendments deleted definition of the term, "navigable water," increased the subaqueous lands lease term from 10 to 20 years, and granted exemptions for certain types of activities in subaqueous lands. Contact William Moyer, 739-4691.

2000-23: **Amendments to Regulation 24, Control of Volatile Organic Compound Emissions, by adding a new section to control the emissions of VOCs from lightering operations, of the Regulations Governing the Control of Air Pollution.** Lightering is the transfer of cargo (usually

crude oil) from ocean going vessels to service barges to allow the vessels to proceed upriver. During the cargo transfer, uncontrolled VOCs are emitted. This action is being developed to obtain additional VOC emission reductions for meeting Delaware's 1-hour ozone attainment. Contact James Snead – 323-4542

2000-11: Development of the 1999 Periodic Emission Inventory. States with non-attainment areas for ground-level ozone are required under the Clean Air Act Amendments of 1990 to develop comprehensive periodic emission inventories of ozone precursor pollutants (volatile organic compounds, nitrogen oxides, and carbon monoxide) once every three years and incorporate them into the State Implementation Plan. This is the third of these inventories covering all three Delaware counties for the 1999 calendar year and ozone season. Contact Raymond Malenfant, 739-4791

2000-10: Amendments to Delaware's 2002 Rate-of-Progress Plan toward attainment of the 1-hour National Ambient Air Quality Standard (NAAQS) for ground-level ozone in Kent and New Castle counties. Under the Clean Air Act Amendments of 1990, Delaware is required to submit to the U.S. EPA a State Implementation Plan every three years after 1996 to demonstrate how to achieve adequate rate-of-progress in reducing emissions of volatile organic compounds (VOC) and oxides of nitrogen (NOx), major precursors to form ground-level ozone. This action amends the 2002 plan submitted in February 2000. Contact Frank Gao, 739-3106

2000-05: Update of 1990 Base Year Inventory and 1993 Periodic Emission Inventory Revisions. The Clean Air Act Amendments of 1990 require states with non-attainment areas for ground-level ozone to develop the 1990 base year inventory and comprehensive periodic emission inventories of ozone precursor pollutants once every three years after 1990 and to incorporate them into the State Implementation Plan. This is a first update to improve the 1990 Base Year Inventory and 1993 Periodic Emission Inventory. Contact Bhavesh V. Amin, 739-4791

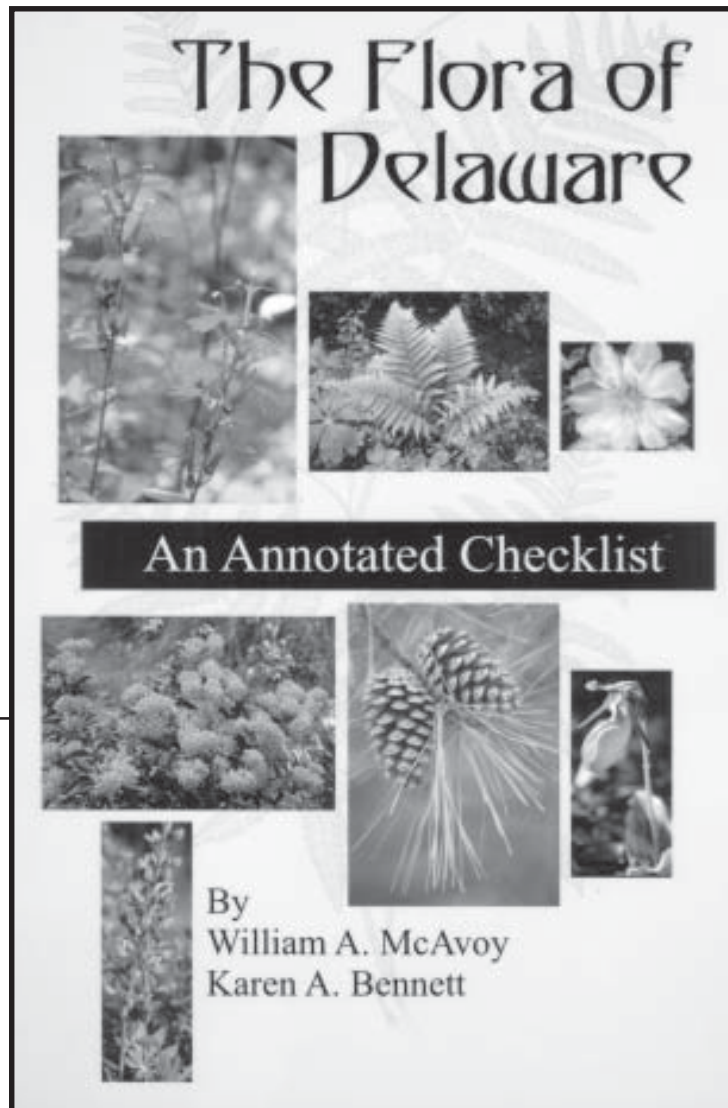
2000-03: Amendments to the Delaware Regulations Governing Hazardous Substance Cleanup. Amendments include adding mirex and gas additives to the definition of hazardous substance as well as clarify the petroleum issue; incorporating by reference the HSCA Guidance standards; and amend the provision concerning interference and failure of remedy.

99-12: Triennial Review of the State of Delaware Surface Water Quality Standards (as amended Feb. 26, 1993). This review will meet requirements of the federal Clean Water Act, which requires all states to review their surface water quality standards every three years and adopt revised standards to comply with the Act. Contact Dave Wolanski - 739-4590.

98-13: Adopt a new regulation (Regulation No. 20, Section 30) of the State of Delaware Regulations Governing the Control of Air Pollution. This regulation will require any small industrial-commercial-institutional steam generating unit (i.e., any unit that combusts any fuel and that produces steam or heats water or any other heat transfer media) to meet specified emission limits for sulfur dioxide and particulate matter. Contact: Ron Amirikian – 323-4542

97-19: **Contingency Regulations for Ozone Attainment** – The Clean Air Act requires states with non-attainment areas for ground-level ozone to implement specific control measures if an area fails to make reasonable further progress goals or fails to attain the national ambient air quality standard by the attainment date. This contingency, in the form of a regulation, may be either a point source cap and reduce program or a higher-level enhanced motor vehicle inspection and maintenance (I-M) program, or perhaps some other action or combination of actions. This regulation will ensure that 1999 and later ground level ozone progress goals for New Castle and Kent counties are achieved, and will be implemented in New Castle and Kent Counties if the specified emissions reductions do not occur in 1999. Contact: Al Deramo – 739-4791

IT ALL ADDS UP TO CLEANER AIR	
<p>Delaware Department of Natural Resources and Environmental Control</p>  <p>1-800-662-8802</p> <p>DNREC's Environmental Complaints Line</p> <p>Calling about environmental problems = doing your part</p>	 <p>Ride DART Transit</p> <p>Help the Environment and Save Commuting Costs</p> <p>Riding the bus = doing your part</p>



The Flora of Delaware is available for \$14 + \$3 shipping. If you are interested in receiving a copy, please call for more information (302-653-2880) or send a check payable to the Delaware Division of Fish and Wildlife to the Delaware Natural Heritage Program, Flora of DE, 4876 Hay Point Landing Road, Smyrna, DE 19977.

DNREC Division Directors:

Kevin Donnelly - Director, Division of Water Resources
Robert S. Baldwin - Director, Division of Soil and Water Conservation
Patrick J. Emory - Director, Division of Fish and Wildlife
Charles A. Salkin - Director, Division of Parks and Recreation
John B. Blevins - Director, Division of Air and Waste Management

DNREC Public Affairs Office

Maria A. Taylor, Director

DNREC NEWS is published by the Department of Natural Resources
and Environmental Control, Public Affairs Office.

Comments are invited and should be sent to: Melinda Carl, Editor,
DNREC NEWS, 89 Kings Highway, Dover, DE 19901
Telephone: 302-739-4506; Fax: 302-739-6242
www.dnrec.state.de.us

DNREC News Staff

Editor: Melinda Carl
Staff Writers and Contributors: Kathleen Jamison, Jason Gleockler
Production: Christy Shaffer
Printing: Grace Dowell
Circulation: Margie Witherspoon

DNREC
NEWS

89 Kings Hwy.
Dover DE 19901